

SENATE BILL 1356

By Haynes

AN ACT to amend Tennessee Code Annotated, Title 55,
Chapter 17, Part 1, relative to pre-owned motor
vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 17, Part 1, is amended by deleting § 55-17-127 in its entirety and by substituting instead the following language:

§ 55-17-127.

(a) If a person seeks to purchase a pre-owned motor vehicle from a dealer in a political subdivision of the state that requires emissions testing or vehicle inspections and the vehicle is to be registered by the person in such political subdivision and the vehicle has not been tested or inspected within ninety (90) days prior to the sale, then the person may:

(1) Require the vehicle to be tested and pass inspections prior to the consummation of the sale of the motor vehicle. If the motor vehicle fails the emissions test or the vehicle inspection, the person may waive in writing the provisions of this section; or

(2) Have the vehicle tested or inspected within seven (7) business days of the purchase and if the vehicle fails the test or inspection, the dealer shall do one (1) of the following:

(A) Rescind the purchase agreement and reimburse the purchaser for the cost of the test or inspection; or

(B) Make repairs at the dealer's expense that will bring the vehicle into compliance with the failed test or inspection.

(b) A dealer who sells a vehicle subject to the provisions of subsection (a) shall provide a prospective purchaser with both oral and written notice of a person's rights pursuant to this section prior to completing a sale transaction.

SECTION 2. Tennessee Code Annotated, Section 55-17-114(b)(1), is amended by adding the following language as a new, appropriately designated subdivision:

() Has failed to comply with the provisions of § 55-17-127;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.